

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

KEITH ALLEN WARREN,

Plaintiff,

DESIREE HULTENSCHMIDT, et al.,

## Defendants.

Case No. 3:23-cv-00543-ART-CLB

Order Denying Motion for Certificate  
of Appealability, Denying Motion to  
Stay

(ECF Nos. 15, 17)

8        The Court screened *pro se* Plaintiff Keith Allen Warren’s second amended  
9 civil rights complaint pursuant to 42 U.S.C. § 1983 and dismissed it with leave  
10 to file an amended complaint. Instead, Warren has filed a motion for certificate  
11 of appealability. (ECF No. 15.) The Court considers whether to issue or deny a  
12 certificate of appealability only when it enters a final order denying a petition for  
13 writ of habeas corpus. *See* Rule 11 of the Rules Governing Section 2254 Cases.  
14 Accordingly, the Court denies Warren’s motion in this civil rights case.

15 Warren has also filed a motion to stay these proceedings. (ECF No. 17.) As  
16 the Court has dismissed his second amended complaint with leave to amend  
17 there is no operative complaint to stay. Thus, the motion to stay is denied.

18 It is therefore ordered that Petitioner's motion for certificate of appealability  
19 (ECF No. 15) is denied.

20 It is further ordered that Petitioner's motion to stay (ECF No. 17) is denied.

Dated this 14<sup>th</sup> day of January 2025.

From Russell Benn

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ANNE R. TRAUM  
UNITED STATES DISTRICT JUDGE